

GOVERNMENT OF ANDHRA PRADESH
Abstract

PR&RD Dept. – Sand Quarry Lease at Damerakunta Village, Kataram Mandal, Karimnagar - Refund of an amount of Rs.1,01,20,200/- to Sri Enumula Satyanarayana – Administrative Order – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Pts.III) DEPARTMENT

G.O.Rt.No.698

Dated:24.04.2012
Read the following:-

- 1) Govt. Memo.No.2005/ APIU&SAND/2009-1,dt.26.2.2009
- 2) From the APHC, Order in W.P.No.15894/2009 dt.23.2.2012.
- 3) From the APHC, Interim order in W.P.M.P.No.28265/2011 in W.P.No.15894/2009, dt.23.2.2012.
- 4) From the Addl. Advocate General, APHC letters dt.6.3.12&21.3.12.
- 5) From the CEO, ZPP, Karimnagar Lr.No.D3/2031/2010,dt.28.03.12.

ORDER:

In the reference 1st read above, permission was accorded for the 2nd year lease period i.e, from 12.6.2009 to 11.06.2010 duly enhancing 20% of amount paid during the 1st year in favour of Sri E. Satyanarayana, in respect of Damerakunta Sand Reach, Kataram Mandal, Karimnagar District, allowing the revision petition dt.21.01.2009 filed by Sri E. Satyanarayana, lessee of Damerakunta Sand Reach.

In the reference 2nd read above, one Sri Mulkala Ramesh has filed a W.P.No.15894/2009 before the Hon'ble High Court of A.P challenging the Govt. orders and the consequential proceedings dt.12.06.2009 issued by the Assistant Director, Mines & Geology, Karimnagar, in granting the 2nd year lease period to Sri E. Satyanarayana. The Hon'ble High Court of AP in its judgment dt.05.08.2009 suspended the Govt. Memo No.2005/ SPIU&SAND/2009-1,dt.26.2.2009 and the consequential Proceedings No.3081/A/sand/ 2007, dt.12.06.2009 issued by the Assistant Director, Mines & Geology, Karimnagar.

In the reference 3rd read above, Sri E. Satyanarayana represented by his GPA holder Sri V. Rajender Rao, lessee of Damerakunta Sand Reach has filed a W.P.No.15894/2009 for refund the deposited amount and the Hon'ble High Court of Andhra Pradesh in its interim orders in WPMP No.28265/2011 dt.23.2.2012 directed the respondents to take a decision and refund the amount to the petitioner within a period of three weeks and listed the case on 15.3.2012. Further, the WP and the Extension Petition (WPMP No.9141/2012) came up for hearing before the Division Bench of the Hon'ble High Court on 21.3.2012 and after hearing the arguments the High Court granted three weeks time for complying the order dt.23.2.2012 passed in WPMP No.28265/2011 subject to payment of costs of Rs.5,000/-.

The Director, Mines & Geology has requested the Govt. to take a decision and issue necessary orders for refund of the proportionate amount for non-operation period to Sri E. Satyanarayana i.e., Rs.1,01,20,200/- (Rs.150,00,000 – Rs.48,79,800) to comply the court order.

In the reference 5th read above, the Chief Executive Officer, Zilla Praja Parishad, Karimnagar District has informed that the lease amount of Damerakunta (V), Kataram (M) of Rs.1,01,20,000/- credited to ZPP Accounts has not been distributed among the Panchayat Raj Institutions and the said amount is available with General fund of ZPP Karimnagar.

(PTO)

Government after careful examination of the issue decide and hereby accord permission to the District Collector & Special Officer, ZPP, Karimnagar District **(1)** to draw an amount of Rs.1,01,20,200/- (Rupees One Crore One Lakh Twenty Thousand and Two Hundred only) from the General fund of ZPP., Karimnagar and disburse to Sri Enumula Satyanarayana represented by his GPA holder Sri V. Rajender Rao, lessee of Damerakunta sand reach towards refund of the proportionate amount for non-operation period of Damerakunta sand reach; and **(2)** to draw and pay another amount of Rs.10,000/- (Rupees Ten Thousand only) to the un-official respondent No.8 i.e., E. Satyanarayana represented by his GPA holder Sri V. Rajender Rao / Council for respondent No.8 as further directed by the Hon'ble High Court of Andhra Pradesh 12.4.2012 in order to comply with the Hon'ble High Court of Andhra Pradesh order dt.23.2.2012 in W.P.M.P.No.28265/2011 in W.P.No.15894/2009.

The District Collector & Special Officer, Zilla Praja Parishad, Karimnagar is requested to take further necessary action accordingly.

This order issues with the concurrence of Finance (Expr-I&C) Dept., vide their U.O.No.9937/142/Expr.I&C/2012, dt.11.04.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The District Collector & Special Officer, Zilla Praja Parishad, Karimnagar

Copy to:

The Commissioner of Panchayat Raj & Rural Employment, Hyderabad

The Chief Executive Officer ZPP karimnagar dist

The individual through the District Collector & Spl.Officer, ZPP., Karimnagar.

The Industries and Commerce (SPIU&SAND) Department,

The Director of Mines & Geology, A.P., Hyderabad

The Director of Treasuries & Accounts, Hyderabad.

The District Treasury Officer, Karimnagar District

The Finance (Expr-PR&RD) Dept.,

The Law (A1) Dept.,

The P.S. to Principal Secretary to Govt. (PR)

//FORWARDED::BY ORDER//

SECTION OFFICER